

House of Representatives

TUESDAY, AUGUST 17, 1965

The House met at 12 o'clock noon.

The Right Reverend Monsignor Maurice King, pastor of St. Peter's Church, Washington, D.C., offered the following prayer:

O God, we believe in Thee—strengthen our faith. All our hopes are in Thee, do Thou secure them. We love Thee—teach us to love Thee daily more and more. We are sorry for our offenses—

increase our sorrow. We adore Thee as our first beginning; we aspire after Thee as our last end. We give Thee thanks as our constant benefactor, we call upon Thee as our sovereign protector.

Vouchsafe, O God, to conduct us by Thy wisdom, to restrain us by Thy justice, to comfort us by Thy mercy, to defend us by Thy power.

We call upon Thee to enlighten our understanding, to strengthen our will, to purify us in body and soul.

Give us strength, O Lord, to exalt our offenses, to overcome our temptations, to subdue our passions, and to acquire the virtues proper to our state in life.

Fill our hearts with tender affection for Thy goodness, hatred of our sins, love of our neighbor and contempt of worldly vanity.

Teach us to be submissive to our superiors, courteous to our inferiors, faithful to our friends and charitable to our enemies.

Assist us to overcome sensuality by mortification, avarice by almsdeeds and anger by meekness.

Make us prudent in our undertakings, courageous in dangers, patient in affliction, and humble in prosperity.

Let our conscience be ever upright, our exterior modest, our conversation edifying, our deportment honest.

Assist us that we may continually labor to overcome the corruption of human nature, to correspond with Thy grace, to keep the Commandments, and to work out our salvation.

Discover to us, O God, the nothingness of this world, the greatness of Heaven, the shortness of time, length of eternity, through Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 546. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States

over lands within Camp McCoy Military Reservation, Wis.;

H.R. 1291. An act for the relief of the children of Mrs. Elizabeth A. Dombrowski;

H.R. 3320. An act to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes;

H.R. 4024. An act for the relief of Lewis H. Nelson III;

H.R. 4025. An act for the relief of Terence J. O'Donnell, Thomas P. Wilcox, and Clifford M. Springberg; and

H.R. 5819. An act for the relief of John Henry Taylor.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 881. An act to authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 683. An act for the relief of Mrs. A. E. Housley;

S. 768. An act for the relief of Lt. Samuel R. Rondberg, U.S. Army Reserve; and

S. 1873. An act for the relief of Mrs. Clara W. Dollar.

CONTEST FOR SEAT IN THE HOUSE OF REPRESENTATIVES FROM THE THIRD CONGRESSIONAL DISTRICT OF IOWA

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives, which was read and referred to the Committee on House Administration:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 16, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to lay before the House of Representatives the contest for a seat in the House of Representatives from the Third Congressional District of Iowa, Stephen M. Peterson versus H. R. Gross, notice of which has been filed in the office of the Clerk of the House; and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested-election cases," the Clerk has opened and printed the testimony in the above case, and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed together with notice of contest, and the answer thereto and original papers and exhibits have been sealed up and are ready to be laid before the Committee on House Administration.

Two copies of the printed testimony in the aforesaid case have been mailed to the

contestant, and the same number to the contestee, which, together with the briefs of the parties, when received, will be laid before the Committee on House Administration, to which the case shall be referred.

Very truly yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

AUTHORIZING ESTABLISHMENT OF THE DELAWARE VALLEY NATIONAL RECREATION AREA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 89) to authorize establishment of the Delaware Valley National Recreation Area, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 2, strike out "Valley" and insert "Water Gap".

Page 3, line 14, strike out "Valley" and insert "Water Gap".

Page 8, line 2, strike out "Valley" and insert "Water Gap".

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

The title was amended so as to read: "An Act to authorize establishment of the Delaware Water Gap National Recreation Area, and for other purposes."

A motion to reconsider was laid on the table.

ESTABLISHMENT OF THE ALIBATES FLINT QUARRIES AND TEXAS PANHANDLE PUEBLO CULTURE NATIONAL MONUMENT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 881) to authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out lines 18 to 21, inclusive, and insert:

"Sec. 3. There is hereby authorized to be appropriated not to exceed \$5,000 for the acquisition of land and not to exceed \$260,000 for the development of the area."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

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The Senate amendment was concurred in.
A motion to reconsider was laid on the table.

SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs may be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

AUTHORIZING PRINTING OF 3,000 ADDITIONAL COPIES OF HEARINGS HELD BY SUBCOMMITTEE ON NATIONAL SECURITY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 11 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 11

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations three thousand additional copies of the hearings (including brief staff studies thereon) held by its Subcommittee on National Security Staffing and Operations during the Eighty-eighth Congress.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF 2,000 ADDITIONAL COPIES OF HEARINGS HELD BY COMMITTEE ON ANTITRUST AND MONOPOLY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up Senate Concurrent Resolution 37, and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 37

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of part 1 of the hearings held by its Subcommittee on Antitrust and Monopoly during the Eighty-eighth Congress, second session, on economic concentration and its overall and conglomerate aspects.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

THE SOVIET EMPIRE—"A STUDY IN DISCRIMINATION AND ABUSE OF POWER"

of the Committee on House Administration

tion, I call up Senate Concurrent Resolution 38, and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary five thousand additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power", prepared by the Legislative Reference Service, Library of Congress, at the request of the Internal Security Subcommittee.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

THE PRAYER ROOM IN THE U.S. CAPITOL

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House concurrent Resolution 451, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 451

Resolved by the House of Representatives (the Senate concurring), That there be printed fifty-four thousand two hundred additional copies of House Document Numbered 234 of the Eighty-fourth Congress, entitled "The Prayer Room in the United States Capitol", of which forty-three thousand nine hundred copies shall be for the use of the House of Representatives and ten thousand three hundred copies shall be for the use in the Senate.

With the following committee amendment:

Following line 8, insert the following:
"SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House Document Rooms."

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DEDICATION CEREMONIES, RAYBURN HOUSE OFFICE BUILDING

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 422, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 422

Resolved, That there be printed as a House document the dedication ceremonies of the Committee on Government Operations hearing room in the Rayburn House Office Building.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE HONORABLE ALBERT THOMAS

(Mr. BOLAND asked and was given one minute.)

Mr. BOLAND. Mr. Speaker, the huge get-well card we had in the Speaker's lobby during the last few days was sent to ALBERT THOMAS last Friday. I would like to read a note which came from Mrs. Thomas to my office this morning:

DEAR EDDIE: It is most difficult for me to express Albert's great thrill and appreciation for the tremendous get-well card. To be remembered by you and his other colleagues touched us both deeply. It was such a surprise and great tonic for him.

In all the years ALBERT and I have been in Washington we have never known this to be done. It will be historic.

I am enclosing a newspaper clipping from the Houston Post and this was carried in other papers.

Please accept our thanks and express to each and everyone our sincere appreciation and what a great privilege it is to serve with these great men.

With each day ALBERT is gaining strength and the doctors are pleased with his progress.

ALBERT joins me in extending our warm personal regards and best wishes to all.

Sincerely,

LENA THOMAS.

CORRECTION OF ROLL CALL

Mr. BECKWORTH. Mr. Speaker, on rollcall No. 237, on August 16, a quorum call, I am recorded as absent. I was present and answered to my name. I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

RELIEF FROM PROVISIONS OF THE FIREARMS ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9570) to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner, which was reported unanimously by the Committee on Ways and Means.

The Clerk read the title of the bill.
The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and I will not object, I do so in order that the House might have a full explanation of this legislation. I now yield to the chairman of the committee, the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. I thank my friend from Wisconsin.

Mr. Speaker, the purpose of this bill can be rather simply stated, I believe.

First, however, let me emphasize that the bill is relatively narrow in scope and it is unrelated to and not a part of the broad administration firearms control bill on which the Committee on Ways and Means has just conducted hearings.

Mr. Speaker, the problem to which this bill is addressed is of an entirely different nature. Under present law; in fact,

United States Code, title 15, chapter 18, section 902, subsection (f) enacted in 1961, as I recall, the conviction of a felony automatically deprives the convicted person—of course, the word "person" includes "corporation"—of the right to have any dealings with any firearm or ammunition in interstate or foreign commerce. No consideration can be given to any circumstances which might cause a judge to properly mitigate or even suspend the punishment, nor any consideration can be given to the fact that the crime might be wholly unrelated to firearms and to the disabilities imposed by the Federal Firearms Act.

Mr. Speaker, the purpose of the bill is to authorize the Secretary of the Treasury under the conditions specified in the bill to relieve applicants from certain disabilities of the Federal Firearms Act.

Mr. Speaker, these conditions are, first, that the grant of relief by the Secretary is in the public interest.

Second. That the crime involved did not involve the use of firearms or any other weapons, or a violation of the Federal or National Firearms Act.

Third. That publicity be given to each grant of relief under the bill, and

Fourth. That it is established to the satisfaction of the Secretary that the applicant's record and reputation is such that he is not likely to carry on his operations in an unlawful manner.

Mr. Speaker, the Committee on Ways and Means is convinced that the legislation is desirable and that it is in the public interest.

Mr. Speaker, the disabilities imposed under existing law, the Committee on Ways and Means is convinced, can operate with inequitable and unfair results in certain types of cases. For this reason, the committee felt that some discretion should be vested in the Secretary of the Treasury where the public interest would be served by granting some relief from these disabilities. In fact, a specific case was called to the attention of the committee involving an existing firearms manufacturer who is also a multi-product manufacturer, operating through a single corporation through divisions which are basically separate in character.

Mr. Speaker, the circumstances involving this particular case are set forth on page 2 of the committee report. The relief involved in this bill is, however, of general application and is only available where all of the conditions which we have described are met.

Mr. Speaker, the bill does not in any way make a determination whether the relief should or should not be granted in this case or in any other specific case. It simply authorizes the Secretary to make the determination when he finds that the conditions specified in the bill have been met.

Mr. Speaker, as I said earlier, the bill was unanimously reported by the Committee on Ways and Means.

Mr. BYRNES of Wisconsin. Mr. Speaker, as I said before, it was not my intention to object and I shall not object, but I believe the important thing to bear in mind is this bill itself does not suspend any of the operations of the

Federal Firearms Act. It merely provides that the Secretary of the Treasury may in specific instances and particularly in the case of the overriding public interest suspend the disability provisions of the Federal Firearms Act.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Virginia.

Mr. JENNINGS. Mr. Speaker, I support this bill which the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas, the Honorable WILBUR D. MILLS, and the ranking minority member, the gentleman from Wisconsin, the Honorable JOHN W. BYRNES, have so ably described. The bill in my judgment is in the public interest and deserves the unanimous support of the House.

As has already been explained, in enacting this legislation, we are not in anyway undertaking to rule upon any specific case but we are vesting authority in the Secretary of the Treasury, in cases in which the public interest would be promoted thereby, to make a determination upon the facts of the case and under the conditions which are set forth in the bill to provide relief in meritorious situations. The bill provides that in every such instance publicity should be given by publication in the official Federal Register of the United States and the bill also requires that the Secretary must make an affirmative determination that any relief which is granted would not be contrary to the public interest, and that the circumstances regarding the conviction and the applicant's record and reputation are such that he will not be likely to conduct his operations in an unlawful manner. Moreover, in any event, relief cannot be granted where the conviction involved is a violation of the Federal Firearms Act.

As I indicated, this bill deserves the support of the House and I urge my colleagues to pass the bill unanimously.

(Mr. JENNINGS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, further reserving the right to object, I would like to ask the gentleman whether this legislation grows out of a conspiracy charge—I do not know whether there was a conviction, but a conspiracy charge—that applied to pharmaceutical products of this corporation?

Mr. MILLS. The gentleman is right.

Mr. GROSS. And that legal action indirectly affects the sale of the corporation's firearms?

Mr. MILLS. Even though there is no direct relationship whatever between the crime and the firearms. It just happens that the company by which this convicted employee was employed, a large diversified company, not only produced pharmaceuticals but produced powder and ammunition.

Mr. GROSS. There was no violation through the sale by the corporation of firearms?

Mr. MILLS. The gentleman is exactly right.

Mr. GROSS. The only thing I find rather inexplicable is that the Olin-

Mathieson Chemical Corp. was unaware of the law in this respect.

Mr. MILLS. I think in fairness to this company it should be pointed out they were not unaware of the act. They were completely and totally ignorant of what this particular employee abroad was doing that subjected him to the charges which were made in connection with the sale, or disposition, of pharmaceuticals.

Mr. GROSS. I thank the gentleman.

Mr. MILLS. And it should be completely borne in mind by everybody concerned that we are not ruling on this case one way or the other. We are not making a decision.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the bill, as follows:

H.R. 9570

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Firearms Act, as amended (52 Stat. 1250; 16 U.S.C. 901 et seq.), is amended by adding at the end thereof the following new section:

"SEC. 10. A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this Act or of the National Firearms Act) may make application to the Secretary of the Treasury for relief from the disabilities under this Act incurred by reason of such conviction, and the Secretary of the Treasury may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this Act, who makes application for relief from the disabilities incurred under this Act by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary of the Treasury grants relief to any person pursuant to this section, he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar Day. The Clerk will call the first bill on the Private Calendar.

EDWARD V. AMASON AND EMERITA CECILIA AMADOR AMASON

The Clerk called the bill (H.R. 1473) for the relief of Edward V. Amason, and Emerita Cecilia Amador Amason.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Gross objected and, under the rule, the bill was recommended to the Committee on Claims.

CONGRESSIONAL RECORD — HOUSE

There was no objection.

B. 916

LOUIS ADLER

There was no objection.

B. 1196

H.R. 1644

H.R. 6726

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.